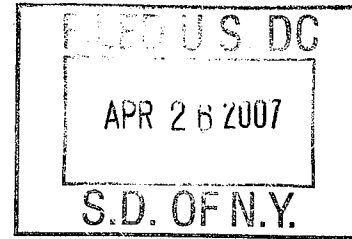


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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CARLA WOODS AND JEFFREY GOLDBERG,
as Stockholders' Representative and Trustees of the
Bionics Trust,

Plaintiffs,

v.

BOSTON SCIENTIFIC CORPORATION,
a Delaware corporation,

Defendant.

Case No(s): 06 CV 5380 (AKH)

Honorable Alvin K. Hellerstein

Magistrate Judge Theodore H. Katz

ECF Case

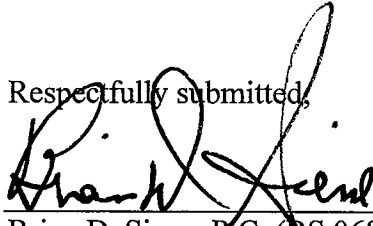
NOTICE OF APPEAL

Notice is hereby given that Defendant Boston Scientific Corporation ("BSC") hereby appeals to the United States Court of Appeals for the Second Circuit from: (1) the District Court's Order entering a Permanent Injunction, dated April 23, 2007 and entered on April 24, 2007; (2) the District Court's Memorandum and Order Explaining Permanent Injunction and Severing Count Three of the Complaint, dated April 23, 2007 and entered on April 24, 2007; and (3) any and all rulings, findings of fact, conclusions of law, or other orders antecedent and ancillary thereto or in connection therewith that are merged into and became part of these Orders, including, but not limited to any such rulings, findings, conclusions or orders (a) made by the Court during the April 17, 2007 hearing, (b) in the Preliminary Injunction, dated February 20,

2007 and entered on February 22, 2007, (c) in the District Court's Memorandum Opinion and Order dated January 31, 2007, which accepted with modifications the Report and Recommendation issued by the Magistrate Judge on November 1, 2006, (d) in the District Court's Corrections to its Opinion and Order issued on January 31, 2007, dated February 9, 2007, and (e) in the Magistrate Judge's Report and Recommendation itself, dated November 1, 2006. Copies of the orders specified above are attached hereto.

Date: April 26, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian D. Sieve", is written over a horizontal line.

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